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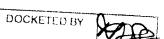
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## BEFORE THE ARIZONA CORPORATION C

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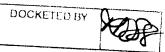
COMMISSIONERS

KRISTIN K. MAYES - Chairman **GARY PIERCE** PAUL NEWMAN

SANDRA D. KENNEDY **BOB STUMP** 

JAP COMMISSION DOCKET CONTROL

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IN THE MATTER OF THE APPLICATION OF SOLARCITY CORPORATION FOR SPECIAL CONTRACT APPROVAL FOR SOLAR SERVICES AGREEMENTS.

DOCKET NO. E-20690A-10-0214

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## PROCEDURAL ORDER

### BY THE COMMISSION:

On May 26, 2010, SolarCity Corporation ("SolarCity") filed with the Arizona Corporation Commission ("Commission") an application for Special Contract Approval for a Solar Services Agreement ("SSA").

On July 12, 2010, the Commission issued Decision No. 71795 which addressed a previous application by SolarCity seeking an adjudication that it was not acting as a public service corporation when it provides solar services to Arizona schools, governments, and non-profit entities by means of an SSA. In Decision No. 71795, the Commission found that when SolarCity provides services to schools, governments, or other non-profit entities pursuant to an SSA, it is not acting as a public service corporation.

On August 20, 2010, the Commission's Utilities Division ("Staff") filed a memorandum in this docket stating that the SolarCity SSA that was the subject of Decision No. 71795 and the SolarCity SSA that is the subject of this docket are "nearly identical." In light of the Commission's findings in Decision No. 71795, Staff recommends that the Commission issue an order closing this docket.

On August 30, 2010, a Procedural Order was issued directing SolarCity file in this docket a statement averring whether it agrees with Staff's assessment that the contract at issue in this docket is substantially similar to the SSA at issue in Decision No. 71795, and with Staff's recommendation to close the docket.

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1 On October 15, 2010, SolarCity filed a response to the August 30, 2010, Procedural Order 2 stating that SolarCity agrees with Staff's opinion that Commission Decision No. 71795 controls the 3 disposition of the instant docket and that this docket should be closed. 4 Good cause has been shown for administrative closure of this docket. 5 IT IS THEREFORE ORDERED that Docket No. E-20690A-10-0214 is hereby 6 administratively closed. Dated this \_\_\_\_\_\_day of November, 2010. 7 8 9 10 11 JANE L. RØD ADMINISTRATIVE LAW JUDGE 12 Copies of the foregoing mailed 13 this <u>/5/</u> day of November 2010 to: 14 Court Rich M. Ryan Hurley 15 Rose Law Group PC 6613 N. Scottsdale Road, Suite 200 16 Scottsdale, AZ 85250 Attorneys for SolarCity 17 Janice Alward, Chief Counsel 18 LEGAL DIVISION Arizona Corporation Commission 19 1200 W. Washington Street Phoenix, Arizona 85007 20 Steve Olea, Director 21 **Utilities Division** Arizona Corporation Commission 22 1200 W. Washington Street Phoenix, Arizona 85007 23 24 25 By: Yane Rodda 26 27

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